

**GOVERNMENT OF TELANGANA
ABSTRACT**

Public Services – Allegation of possession of assets disproportionate to the known sources of income of Sri C.Srinivasa Reddy, Asst. Planning Officer (Retd.), Hyderabad Metropolitan Development Authority, Hyderabad – Further action dropped – Regularization of suspension period as duty – Orders - Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.I (i) DEPARTMENT

G.O.Rt.No.199

Dated:25.05.2015

Read the following:-

1. G.O.Ms.No.497, MA&UD Deptt., dated 14.9.1994.
2. From the Addl. Spl. Judge for SPE & ACB Cases, Hyd. Judgment dated 2.11.2001 in C.C.No.16/94.
3. From the DG, ACB, Hyd. Lr.No.40/RCA/HRG/88-S3, dt.4.2.2002.
4. From Govt. Memo.No.2626/Vig.IV.2/2001, MA&UD Deptt., dt.25.2.2002.
5. From the DG, ACB, Hyderabad, Letter No. 40/RCA/HRG/88, dated 15.2.2010.
6. Govt. Memo.No.2626/Vig.IV.2/2001, MA&UD Deptt., Dated:27.5.2011.
7. From the Hon'ble APAT, Hyd., O.A.No.5382/2001, Dated:28.6.2011, filed by Sri C.Srinivasa Reddy, Asst. City Planner, HMDA, Hyderabad.
8. Govt. Lr.No.16840/Vig.IV.2/2001, MA&UD Deptt., Dated:4.12.2012.
9. From the Hon'ble High Court of AP, W.P.M.P.No.8677/2013 in W.P.No.6936/2013, interim orders dated 3.6.2013.
10. Govt. Memo.No.16840/Vig.IV.2/2011, MA&UD Deptt., dt.16.4.2014.
11. From Metropolitan Commissioner, HMDA, Lr.No.4193/Estt./HMDA/88, dated 4.6.2014.

ORDER:

Whereas, in the reference 1st read above, prosecution orders were issued in respect of Sri C.Srinivasa Reddy, Assistant Planning Officer, Hyderabad Metropolitan Development Authority, Hyderabad on allegation of possession of assets disproportionate to the known sources of income. A charge sheet was filed in Case No.16/1994 in the Court of Addl. Spl. Judge for SPE & Anti Corruption Bureau Cases, Hyderabad, by the Director General, Anti Corruption Bureau, Hyderabad. In the reference 3rd read above, the Director General, Anti Corruption Bureau, Hyderabad while enclosing the Judgment of Addl. Spl. Judge for SPE & Anti Corruption Bureau Cases, Hyderabad, wherein acquittal of Sri C.Srinivasa Reddy, Assistant Planning Officer, Hyderabad Metropolitan Development Authority, in the Disproportionate Assets case, has requested to permit him to file Crl. Appeal in Hon'ble High Court of Andhra Pradesh.

2. Whereas, in the reference 4th read above, Government, have permitted the Director General, Anti Corruption Bureau, Hyderabad to file Crl. Appeal in Hon'ble High Court of Andhra Pradesh, against the acquittal orders of Anti Corruption Bureau Court. Further, the Director General, Anti Corruption Bureau, Hyderabad has informed that the Hon'ble High Court of Andhra Pradesh has dismissed the Crl. Appeal No.349/2002 filed by Anti Corruption Bureau, Hyderabad, vide reference 4th read above.

3. Whereas, Sri C.Srinivasa Reddy, Assistant Planning Officer, Hyderabad Metropolitan Development Authority, has filed an O.A.No.5382/2001 in Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad praying to declare the action of the respondents in not releasing the service benefits treating the period of suspension as on duty with full pay and allowance, from 3.1.1995 to 11.6.2002 by setting aside the Govt. memo. No.2626/Vig.IV.2/2001, dated 27.5.2011, along with appointment as SPP-II post as Assistant Planning Officer w.e.f. 1.7.2000 and consequential benefits with 8% interest per annum. The Hon'ble Andhra Pradesh Administrative Tribunal in its order dated 8.10.2012 in O.A.No.5382/2011, directed the respondents as follows:-

"The impugned Memo.No.2626/Vig.IV.2/2001, MA&UD Deptt. Dated 27.5.2011 of 1st Respondent, treating the suspension period from 3.1.1995 to 11.6.2002 as "not on duty" is set aside. The respondents are directed to treat the period from 3.1.1995 to 11.6.2002 as on duty for the purpose of seniority and Pensionary benefits without monetary benefits for the said period, except subsistence allowance on the ground of "no work no pay" principle. The applicant is entitled to be considered for SPP – II scale and the consequential Pensionary benefits after implementing G.O.Ms.No.395, MA&UD (Vig.IV.2) Deptt., dated 6.3.2009, regarding the imposition of punishment 10% cut in pension for a period of two years. The respondents are directed to pay interest @ 8% per annum on the pension and gratuity from the date of confirmation of acquittal of the applicant by the Hon'ble High Court, through the judgment dated 17.8.2009 till the date of payment".

4. Whereas, in the reference 9th read above, the Hon'ble High Court of Andhra Pradesh in its Interim order dated 3.6.2013 in WPMP No.8677/2013 in W.P.No.6936/2013 directed as follows:-

"There shall be interim suspension to the extent of interest awarded by the Tribunal by the impugned order".

5. And whereas, after careful examination of the matter and keeping in view the orders of Hon'ble Andhra Pradesh Administrative Tribunal / High Court of Andhra Pradesh, have decided to treat the suspension period of Sri C.Srinivasa Reddy, Assistant Planning Officer, Hyderabad Metropolitan Development Authority, Hyderabad, from 3.1.1995 to 11.6.2002 as on duty for the purpose of seniority and Pensionary benefits without monetary benefits for the said period, except subsistence allowance on the ground of "no work no pay" principle and to consider for SPP – II scale and the consequential Pensionary benefits after implementing.

6. Accordingly, Government hereby order to treat the suspension period of Sri C.Srinivasa Reddy, Assistant Planning Officer, Hyderabad Metropolitan Development Authority, Hyderabad, from 3.1.1995 to 11.6.2002 as on duty for the purpose of seniority and Pensionary benefits without monetary benefits for the said period, except subsistence allowance on the ground of "no work no pay" principle and to consider for SPP – II scale and the consequential Pensionary benefits, as per rules.

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7. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad shall take necessary action accordingly and furnish compliance report to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

M.G. GOPAL
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Metropolitan Commissioner,
Hyderabad Metropolitan Development Authority, Hyderabad.
The individual **through** Metropolitan Commissioner, Hyderabad Metropolitan
Development Authority, Hyderabad.
The Govt. Pleader for MA&UD Deptt.,
Andhra Pradesh Administrative Tribunal, Hyderabad.
The Govt. Pleader for MA&UD Deptt.,
High Court of Telangana and Andhra Pradesh, Hyderabad.
Sc/Sf.

// FORWARDED BY ORDER//

SECTION OFFICER